

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

| | | |
|---------------------------|---|---------------------|
| IN THE MATTER OF: |) | |
| |) | |
| IKO Monroe, Inc. |) | NOTICE OF VIOLATION |
| Monroe, Michigan |) | |
| |) | EPA-5-01-MI-12 |
| |) | |
| Proceedings Pursuant to |) | |
| Section 113(a) (1) of the |) | |
| Clean Air Act, 42 U.S.C. |) | |
| <u>§ 7413(a) (1)</u> |) | |

NOTICE OF VIOLATION

The Administrator of the United States Environmental Protection Agency (U.S. EPA) is issuing this Notice of Violation under Section 113(a) (1) of the Clean Air Act, 42 U.S.C. § 7413(a) (1). U.S. EPA finds that IKO Monroe, Inc., located at 1151 W. Elm Street, Monroe, Michigan, is violating the Michigan State Implementation Plan (SIP), as follows:

Statutory and Regulatory Background

1. Section 110(a) (2) (c) of the Clean Air Act, 42 U.S.C. § 7410 (a) (2) (c), requires states to adopt, and submit to U.S. EPA for approval, SIPs which include a program for regulating the modification and construction of stationary sources to assure attainment of the National Ambient Air Quality Standards.
2. On May 6, 1980, U.S. EPA approved Michigan SIP Rule R336.1201, as part of the federally enforceable SIP for the State of Michigan. 45 Federal Register 29790.
3. R336.1201 provides that a person shall not install any process or process equipment which may emit an air contaminant without first obtaining a permit to install from the Department of Environmental Quality.
4. Section 113 of the Clean Air Act, 42 U.S.C. § 7413, states, in part, that whenever, on the basis of any information available to the Administrator, the Administrator finds that any person has violated or is in violation of any requirement or prohibition of any applicable implementation plan or permit, the Administrator shall notify the person and the state in which the plan applies of such finding.

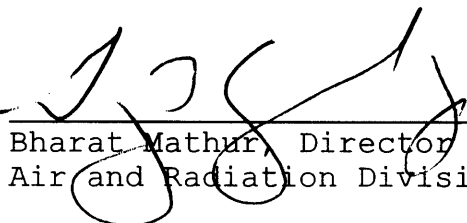
FACTUAL BACKGROUND

5. IKO Monroe, Inc., owns and operates a facility that processes wood and recycled paper into roofing products, located at 1151 West Elm Street, Monroe, Michigan.
6. IKO Monroe, Inc., purchased the facility from Jefferson-Smurfit on or about June 27, 1997.
7. IKO Monroe, Inc., modified the facility by installing equipment for thermo-mechanically digesting wood chips for the manufacture of paper roofing products, and replacing forming equipment associated with the paper machine. The installed equipment emits or may emit volatile organic compounds.

FINDINGS OF VIOLATION

8. On August 17, 2000, U.S. EPA and the Michigan Department of Environmental Quality inspected the IKO Monroe, Inc., facility. During the inspection, inspectors observed that IKO Monroe had modified its production equipment without applying for and obtaining a permit to install as set forth above.
9. IKO Monroe, Inc., violated the Clean Air Act by not complying with Michigan SIP Rule R336.1201.

1/19/01
Date


Bharat Mathur, Director
Air and Radiation Division

ALTING

CERTIFICATE OF MAILING

I, Shanee Rucker, certify that I sent a Notice of Violation,
by Certified Mail, Return Receipt Requested, to:

Walt Dindoffer, Plant Manager
IKO Monroe, Inc.
1151 West Elm Street
Monroe, Michigan 48162

I also certify that I sent copies of the Notice of
Violation, by first class mail to:

Carrie Monosmith, District Supervisor
Jackson District Office
Michigan Department of Environmental Quality
State Office Building, 4th floor
301 E. Louis B. Glick Highway
Jackson, Michigan 49201

Tim McGarry, Chief
Enforcement Section
Air Quality Division
Michigan Department of Environmental Quality
P.O. Box 30260
Lansing, Michigan 48909-7760

Dennis Drake, Chief
Air Quality Division
Michigan Department of Environmental Quality
P.O. Box 30260
Lansing, Michigan 48909-7760

on the 19th day of January, 2001.

Shanee Rucker
Shanee Rucker, Secretary
AECAS, (MI/WI)

CERTIFIED MAIL RECEIPT NUMBER: 7099 3400 0000 9592 4038